

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - January 13, 1971

Appeal No. 10641 Stephen M. Gatti, et al, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and carried with the absence of Mr. Scrivener, the following Order of the Board was entered at the meeting of January 19, 1971.

EFFECTIVE DATE OF ORDER - March 12, 1971

ORDERED:

That the appeal for permission to establish a parking lot at 736-38 Fifth Street, N.W., lots 21 and 22, Square 486 be granted conditionally.

FINDINGS OF FACT:

1. The subject property is located in an SP District.
2. The property is improved with a three (3) story brick structure which will be razed.
3. Appellant proposes to establish a parking lot.
4. The proposed parking lot will be operated in conjunction with the existing lot adjoining the property on the south and across the alley on the west, which is operated by an attendant and for security purposes no additional driveways would be installed (See BZA Exhibit No. 2).
5. The Department of Highways and Traffic offered no objection to the granting of this appeal.
6. No opposition was registered at the public hearing to the granting of this appeal.

OPINION:

We are of the opinion that the establishment of this parking facility will not create any dangerous or otherwise objection-

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able traffic conditions, that the present character and future development of the neighborhood will not be adversely affected, and that the lot is reasonably necessary and convenient to other uses in the vicinity. However, the Certificate of Occupancy shall not issue until the conditions hereinafter set forth in this Order are complied with.

a. Permit shall issue for a period of one (1) year, but shall be subject to renewal in the discretion of the Board upon the filing of a new appeal in the manner prescribed by the Zoning Regulations.

b. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.

c. An eight (8) inch coping shall be erected and maintained along each side of all driveways to protect the public space.

d. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.

e. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.

f. All parts of the lot shall be kept free of refuse or debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.

g. No other use shall be conducted from or upon the premises and no structure other than an attendant's shelter shall be erected or used upon the premises unless such use or structures are otherwise permitted in the zoning district in which the parking lot is located.

h. Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

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i. The appellant shall present landscaping plans to the Board for approval before permit shall issue.

The Board reserves the right to direct revocation of the occupancy permit upon a proper showing that any terms or conditions of this Order have been violated.

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By:



PATRICK E. KELLY  
Secretary of the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.